



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,161	08/29/2001	David Glazer	1050390-991111	6819
28765	7590	12/27/2005		EXAMINER
WINSTON & STRAWN LLP 1700 K STREET, N.W. WASHINGTON, DC 20006			PAULA, CESAR B	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)
	09/942,161	GLAZER ET AL.
	Examiner CESAR B. PAULA	Art Unit 2178

All participants (applicant, applicant's representative, PTO personnel):

(1) CESAR B. PAULA. (3) BILL MORTON.

(2) PEJMAN SHARIFI. (4) _____.

Date of Interview: 14 December 2005.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 63.

Identification of prior art discussed: LUDWIG.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: DISCUSSED DIFFERENCE BETWEEN THE SEARCHABLE DATABASE MODEL OF THE INVENTION AND THE MULTIMEDIA SYSTEM OF LUDWIG, AND HOW TO POSSIBLY OVERCOME LUDWIG.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



CESAR PAULA
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

WINSTON & STRAWN LLP

Facsimile

200 PARK AVENUE, NEW YORK NY 10166-4193
 TELEPHONE: 212-294-6700 FACSIMILE: 212-294-4700

35 W WACKER DRIVE 1700 N STNW
 CHICAGO IL 60601-3703 WASHINGTON DC 20006-4107
 312 730 0000 202 224 3000

325 SOUTH GRAND AVENUE 101 California Street
 MC KEELEY CA 90071-1843 San Francisco Ca 94111-0894
 213 615 1700 415 981-1000

4200 University
 4204 Oberlin Drive
 415 423 7279

21 Avenue VICTOR HUGO
 DANUCCIO PLAZA
 3 Quai VICHY 75009
 LONDON E1K 0NA EC4N 0NN
 +44 020 7429 0000

Fax Number: 212-294-4700

FROM: Pejman Sharifi

CHARGEBACK:

DATE: 12/13/2005

7663-5000

Please Deliver as Soon as Possible To:

	RECIPIENT	COMPANY	FAX NO.	PHONE NO.
1.	Cesar Paula	USPTO	571-273-4128	

Total number of pages including this page: 3

COMMENTS

Please find attached possible subjects for clarification to discuss in tomorrow's examiner interview re 09/942,161. FYI Bill Morton from Open Text Corp. will also be joining us. Thanks, Pejman Sharifi

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE.

THANK YOU.
 212-294-5319

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U S Postal Service. Thank you.

Operator Initials: _____

Confirmation: Yes _____ Name: _____ No: _____

**CONFIDENTIAL - DRAFT - FOR DISCUSSION PURPOSE ONLY -
NOT AN OFFICIAL FILING - US APPL. NO. 09/942,161 , FILED 8/29/01**

**POSSIBLE TOPICS FOR CLARIFICATION
FOR DISCUSSION IN EXAMINER INTERVIEW**

- Claim 63: Ludwig does not for, example, disclose:
 - storing files as objects
 - an object model
 - objects that are defined in accordance with an object model,
 - an object model that is for rich media presentations
 - Ludwig does not disclose or describe the database model that is required to store each file.
 - Saving a file, which is all that is described by Ludwig, is not the same as the above. A specification or description from Ludwig or an explanation of why the above is inherent to Ludwig is requested.
 - an object model that includes a participant tracking field (i.e., for that object)
 - A participant tracking field that tracks progress
 - Ludwig does not save or store a participant tracking field. There is no such information associated with the storing system of Ludwig.
 - The examiner relies on viewing annotations in real time but that is not an indication of progress because there is no way to know how much is left to finish the annotation and there is no way to know tracking of other because there is now way to know how much of the annotation others have viewed. As such, viewing the "progress" of annotations is not the same as tracking progress.
 - an object model that includes a participant input field
 - participant input fields that are received in response to one or more objects
 - Again there is no field in Ludwig that is a part of an object model for storing participant input.
 - In addition, there is no field in Ludwig that contains responses that an object receives from users of that object.
 - one or more permission keys
 - Ludwig does not describe permission keys for a presentation. Ludwig mentions logging into a collaborative media workstation and mentions controlling ports in connection with a service. Neither of which describes or suggest permission keys for a presentation.

**CONFIDENTIAL - DRAFT - FOR DISCUSSION PURPOSE ONLY -
NOT AN OFFICIAL FILING - US APPL. NO. 09/942,161 , FILED 8/29/01**

- in response to a request to view the presentation, assembling objects in real time to distribute the presentation
 - In Ludwig, there is no assembling that occurs in real time that occurs in response to a request to view a presentation.
- assembling so that objects are synchronized on the basis of start time attribute
 - The Examiner relies on Ludwig's description of audio or video that is time coded, but an audio or video is an existing file that would not require assembling video frames (as is proposed by the examiner) so that the frames are synchronized for distributing a version of the presentation.
- assembling to distribute a version of the rich media presentation that dynamically varies as a function of (1) the participant and object permission keys and (2) participant tracking attributes
 - Ludwig in no way describes or suggests the dynamic assembly of a presentation that is configured to dynamically assemble different versions of the presentation where the assembled presentation varies based on permission keys and tracking attributes. Thus, the server can generate different versions of a presentation to match different user's permission keys and progress in the presentation. As indicated above, this would be dynamic in that it would occur in response to a request to view the presentation.
- Goodkovsky teaches away from the having start time attributes for objects. Goodkovsky is tutoring system in which the flow of events is not controlled by a start time field for an event but based on analysis that is performed based on test results (e.g., on the last question), Goodkovskly identifies the next tutoring event.